

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

JEFFREY SMITH, *et al.*,  
Plaintiffs,

vs.

CITY OF CINCINNATI, *et al.*,  
Defendants.

Case No. 1:12-cv-648

Barrett, J.  
Litkovitz, M.J.


**ORDER**

This matter is before the Court on plaintiff's motions for a temporary restraining order and permanent injunction. (Docs. 61, 62).

In view of this Court's Order and Judgment entry dated June 19, 2013 (Docs. 46, 47) and the Sixth Circuit Court of Appeals Order affirming this Court's judgment (Doc. 58), plaintiff lacks authority to file, and this Court lacks any basis upon which to consider plaintiff's filings. *See* Fed. R. Civ. P. 59, 60. *See also Lewis v. Alexander*, 987 F.2d 392, 394 (6th Cir. 1993) ("As a general rule, the district court loses jurisdiction over an action once a party files a notice of appeal, and jurisdiction transfers to the appellate court."). Therefore, plaintiff's motions are **DENIED**.

**IT IS SO ORDERED.**

Date: 1/13/15

  
Karen L. Litkovitz  
United States Magistrate Judge